

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**GRADY R. WILLIAMS, JR,**

**Plaintiff,**

**V.**

**Commissioner BRIAN OWENS, et al.,**

**Defendant.**

**CIVIL ACTION NO. 5:13-CV-254 (MTT)**

## ORDER

This matter is before the Court on the Recommendation of United States Magistrate Judge Stephen Hyles. (Doc. 36). The Magistrate Judge recommends granting the Defendants' motion to dismiss (Doc. 16) and denying the Plaintiff's motions for a preliminary injunction. (Docs. 25, 32). Specifically, the Magistrate Judge recommends granting the motion to dismiss because the Plaintiff failed to exhaust his administrative remedies before filing his § 1983 action pursuant to the Prisoner Litigation Reform Act, 42 U.S.C. § 1997e(a). *Brown v. Sikes*, 212 F.3d 1205, 1207 (11th Cir. 2000). Moreover, he did not "complet[e] the administrative review process in accordance with the applicable procedural rules." *Jones v. Bock*, 549 U.S. 199, 218 (2007). The Magistrate Judge recommends denying the Plaintiff's motion for a preliminary injunction because the specific injunctive relief requested is impermissible

under the law,<sup>1</sup> and the Plaintiff has failed to show “substantial likelihood of success on the merits.”

The Plaintiff has objected to the Recommendation.<sup>2</sup> (Doc. 37). Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff’s objections and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. Because the Plaintiff failed to complete the grievance process regarding his prior to protect claim and never filed a grievance for the denial of medical care claim, the Court agrees with the Magistrate Judge that the administrative remedies have not been exhausted. Further, the Plaintiff has failed to allege injunctive relief permissible under the law; thus, dismissing the motion for a preliminary injunction is warranted.

Therefore, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. Accordingly, the Defendants’ motion to dismiss is **GRANTED**, and the Plaintiff’s motion for a preliminary injunction is **DENIED**.

**SO ORDERED**, this 15th day of September, 2014.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> See, e.g., *Elend v. Basham*, 471 F.3d 1199, 1209 (11th Cir. 2006) (“It is well established in this circuit that an injunction demanding that a party do nothing more specific than ‘obey the law’ is impermissible.”).

<sup>2</sup> The Plaintiff also filed a supplemental objection on September 8, 2014 in addition to the objection filed on September 2, 2014. (Doc. 38). However, no arguments raised in the supplemental objection alter this Court’s review of the Recommendation.